

Approved: March 26, 2012

(Date)

MINUTES OF THE SENATE TRANSPORTATION COMMITTEE

The meeting was called to order by Chairperson Dwayne Umbarger at 8:32 a.m. on Tuesday, March 13, 2012, in Room 152-S of the Capitol.

All members were present except:

Anthony Hensley - excused

Committee staff present:

Daniel Yoza, Office of the Revisor of Statutes

Jill Shelley, Kansas Legislative Research Department

Jane Wentz, Committee Assistant

Conferees appearing before the Committee:

Ed Klumpp, Kansas Association of Chiefs of Police, Kansas Peace Officers Association, and Kansas Sheriffs Association, neutral
Senator Tim Owens, District 8, proponent

Others in attendance:

See attached list.

Approval of February 16, 21, and 22, 2012 minutes

The Chairperson asked for a motion to approve the minutes for February 16, 21, and 22, 2012, as written. *Senator Reitz moved to accept the minutes as written. Senator Marshall seconded the motion, and the motion carried on a voice vote.*

Hearing and possible final action on:

SB 451–Window tinting exemption for certain medical reasons

The Chairperson opened the hearing on **SB 451 - window tinting exemption for certain medical reasons** and then recognized Senator Owens, a proponent of **SB 451 (Attachment 1)**. Senator Owens stated he was contacted by a former law associate, who had performed services *pro bono* for a client with various health conditions. He stated

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CONTINUATION SHEET

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this bill would address the issue of a medical exemption from the law as it relates to window tinting. Senator Owens further stated that something needs to be done that provides an exception for individuals with certain medical conditions as certified by a physician. The Chairperson recognized Ed Klumpp, lobbyist representing Kansas Association of Chiefs of Police, Kansas Sheriffs' Association, and Kansas Peace Officers Association, who testified as a neutral party (Attachment 2). Mr. Klumpp stated that to establish a position, that he had conducted considerable research regarding various medical conditions and the relationship to tinting materials currently available on the market. It appears that people with most medical conditions (not all) for which limiting exposure to light is helpful have a sensitivity to UVA and UVB ultraviolet light and currently tinting materials are available that block 99% of these rays and are legal under present law. He further stated it is important to protect the ability of law enforcement officers to see inside a vehicle in all phases of the stop and as they approach the vehicle. Mr. Klumpp offered several revisions for consideration, should the Committee decide to proceed with working the bill. Senator Owens and Mr. Klumpp answered questions from the Committee regarding reselling a vehicle with windows tinted under a medical window tinting exemption and who is responsible for removal, the number of people with qualified medical condition, the educational curve of law enforcement officers, and other topics. The Committee received information from staff regarding window tinting and medical exemptions by other states (Attachment 3). After directing Daniel Yoza, Office of the Revisor of Statutes, to draft the requested changes as an amendment, the Chairperson asked if anyone else wished to speak regarding **SB 451** and, hearing no requests, the Chairperson closed the hearing.

Possible final action on:

HB 2432—Providing for a ducks unlimited license plate

The Chairperson recognized Mr. Yoza to provide the Committee with an explanation of **HB 2432**. Mr. Yoza stated that **HB 2499 - Providing for the Masonic lodge license plate** and **HB 2431—Allowing royalty fees for distinctive license plates to be paid to the county treasurer**, were added as a balloon amendment to **HB 2432**. After questions

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from the Committee were answered, the Chairperson closed the discussion and stated he would entertain a motion to amend the bill. *Senator Schmidt moved to amend **HB 2432** to include **HB 2499** and **HB 2431**, as amended. Senator Reitz seconded the motion, and the motion carried on a voice vote.* The Chairperson then stated he would entertain a motion to work the amended bill. *Senator Schmidt moved to recommend **HB 2432**, as amended, favorably for passage. Senator Reitz seconded the motion, and the motion carried on a voice vote.*

Revised fiscal information on **SB 300—Extending thirty-day vehicle registration to sixty days** (Attachment 4) and an update on TIGER IV funding by KDOT (Attachment 5) was provided to each Committee member and staff member.

Upon adjournment, KDOT took a Committee picture with Committee members wearing orange vests and hats to be used during KDOTs' "Workforce Safety Awareness" celebration in April.

The meeting was adjourned at 9:18 a.m. The next meeting is scheduled for March 15, 2012.